



November 9, 2005

Highlights of the Conference Report to Accompany H.R. 2862 – Science, State, Justice, Commerce and Related Agencies Appropriations Bill, 2006

On November 7, the Conference Report, H. Report 109-272, was filed.

Noteworthy

- H.R. 2862 provides \$61.80 billion in new obligational authority for fiscal year 2006, which is \$2.36 billion below the Administration's request and \$1.14 billion below the FY05 enacted level. The total includes \$360.7 million in mandatory appropriations.
- The Conference Report does not include the Administration's proposal for creating a new community development grant program, known as Strengthening America's Communities Grant Program, which would be managed under the Commerce Department in lieu of existing Department of Housing and Urban Development grant programs.
- The conference report provides \$5.77 billion for the Federal Bureau of Investigation (FBI), which is \$27.5 million above the Administration's request and \$546.7 million above the FY05 enacted level.
- The conference report provides \$3.95 billion for National Oceanic and Atmospheric Administration (NOAA), which is \$364.8 million above the Administration's request and \$20.8 million above the FY05 enacted level.
- The conference report provides \$16.46 billion for National Aeronautics and Space Administration (NASA), which is \$400,000 above the Administration's request and \$260.4 million above the FY05 enacted level.
- Similar to the House-passed version of H.R. 2862, the conference report provides funding for the State Department and the Broadcasting Board of Governors (\$9.69 billion). (The Senate-passed version of H.R. 2862 did not include funding for the State Department, as it was funded by the Senate in H.R. 3057, the Foreign Operations Appropriations bill.)

Highlights

(amount in billions)

<u>Title</u>	<u>President's Request</u>	<u>Conference Report</u>
Title I—Department of Justice	\$20.60	\$21.67
Title II—Dept. of Commerce ¹	\$9.55 ²	\$6.61
Title III—Science	\$22.1	\$22.12
Title IV—Department of State	\$9.94	\$9.69
<u>Title V—Related Agencies</u>	<u>\$2.09</u>	<u>\$2.11</u>
Total	\$60.46³	\$61.80⁴

Bill Provisions

Title I – Department of Justice

H.R. 2862 provides \$21.67 billion for the Department of Justice, which is \$1.11 billion above the Administration's request and \$775.6 million above the FY05 enacted level. Significant spending accounts include the following:

United States Attorneys:

Conference Report: Provides \$1.60 billion.

Senate Committee-Reported Bill: Provided \$1.57 billion for United States Attorneys, which is \$26.1 million below the Administration's request and \$73.2 million above the FY05 enacted level.

United States Marshals Service:

Conference Report: Provides \$801.9 million.

¹ The conference report excludes Administration's Strengthening America's Communities proposal.

² The President's proposal included funding for NOAA and the National Institute of Standards and Technology (NIST). Both of these programs were funded in Title III in the conference report.

³ Totals do not add due to rounding and rescissions (see Title VII).

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Senate Committee-Reported Bill: Provided \$776.2 million for the United States Marshals Service, which is \$14.1 million below the Administration's request and \$16.7 million above the FY05 enacted level.

Federal Bureau of Investigation (FBI):

Conference Report: Provides \$5.73 billion.

Senate Committee-Reported Bill: Provided \$5.32 billion for the FBI, which is \$380.5 million below the Administration's request and \$101.1 million above the FY05 enacted level.

Drug Enforcement Administration (DEA):

Conference Report: Provides \$1.69 billion.

Senate Committee-Reported Bill: Provided \$1.65 billion for the DEA, which is \$45.0 million below the Administration's request and \$10.3 million above the FY05 enacted level.

Bureau of Alcohol, Tobacco and Firearms (ATF):

Conference Report: Provides \$923.6 million.

Senate Committee-Reported Bill: Provided \$923.7 million for the ATF, which is \$87,000 above the Administration's request and \$41.2 million above the FY05 enacted level.

Federal Prison System:

Conference Report: Provides \$4.89 billion.

Senate Committee-Reported Bill: Provided \$5.12 billion for the Federal Prison System, which is \$360.0 million above the Administration's request and \$335.3 million above the FY05 enacted level.

Justice Assistance:

Conference Report: Provides \$233.2 million.

Senate Committee-Reported Bill: Provided \$221.0 million for Justice Assistance, which is \$982.5 million less than the Administration's request and \$3.9 million less than the FY05 enacted level. The disparity between the Administration's request and the Committee funding level occurs because the Administration's request combines funding for the State and Local Law Enforcement Assistance, the Weed and Seed Program Fund, and the Public Safety Officer Benefits program under one account, rather than separating each account as did the Senate Committee.

State and Local Law Enforcement Assistance:

Conference Report: Provides \$1.14 billion. Included in this funding is \$405 million for the **State Criminal Alien Assistance Program (SCAAP)**.

Senate Committee-Reported Bill: Provided \$1.08 billion for State and Local Law Enforcement Assistance, which is \$1.08 billion above the Administration's request and \$199.9 million below the FY05 enacted level. The President's Budget reduces or eliminates a number of programs that the Administration argues do not have a record of demonstrating results.

Weed and Seed Program Fund:

Conference Report: Provides \$50.0 million.

Senate Committee-Reported Bill: Provided \$50.3 million for the Weed and Seed Program Fund, which is \$10.9 million below the FY05 enacted level. The Administration funds this program under the Justice Assistance account.

Community Oriented Policing Services (COPS):

Conference Report: Provides \$478.3 million.

Senate Committee-Reported Bill: Provided \$515.1 million for COPS, which is \$512.3 million above the Administration's request, but \$83.3 million below the FY05 enacted level. The President's Budget reduces or eliminates a number of programs that the Administration argues do not have a record of demonstrating results.

Juvenile Justice Programs:

Conference Report: Provides \$342.7 million.

Senate Committee-Reported Bill: Provided \$350.0 million for the Juvenile Justice Programs, which is \$29.0 million below the FY05 enacted level. The Administration did not request funding for the Juvenile Justice Programs. The President's Budget reduces or eliminates a number of programs that the Administration argues do not have a record of demonstrating results.

Public Safety Officers Benefits:

Conference Report: Provides \$72.9 million.

Senate Committee-Reported Bill: Provided \$72.9 million for Public Safety Officer Benefits, which is \$3.6 million above the FY05 enacted level. The Administration funds this program under the Justice Assistance account.

Title II – Department of Commerce and Related Agencies

H.R. 2862 provides \$6.61 billion for the Department of Commerce and Related Agencies. Comparing the total funding for Title II with the President's request and the FY05 enacted level is difficult for two reasons. First, several programs funded under the Commerce Title in FY05 have been funded under the Science Title in FY06. Second, the conference report, like the Senate-passed bill, rejects the Administration's proposal for Strengthening America's Communities Grant Program, which the President proposed to be managed under the Commerce Department to replace that managed by the Department of Housing and Urban Development. Significant spending accounts for Title II include the following:

Office of the United States Trade Representative (USTR):

Conference Report: Provides \$44.8 million.

Senate Committee-Reported Bill: Provided \$41.0 million for the USTR, which is \$2.2 million above the Administration's request and equal to the FY05 enacted level.

International Trade Commission (ITC):

Conference Report: Provides \$62.8 million.

Senate Committee-Reported Bill: Provided \$62.8 million for the ITC, which is \$2.5 million below the Administration's request and \$1.9 million above the FY05 enacted level.

International Trade Administration (ITA):

Conference Report: Provides \$406.9 million.

Senate Committee-Reported Bill: Provided \$401.6 million (in direct appropriations) for the ITA, which is \$5.7 million above the Administration's request and \$13.4 million above the FY05 enacted level.

Bureau of Industry and Security (BIS):

Conference Report: Provides \$76.0 million.

Senate Committee-Reported Bill: Provided \$77.0 million for the BIS, which is equal to the Administration's request and \$9.5 million above the FY05 enacted level.

Economic Development Administration (EDA):

Conference Report: Provides \$254.0 million.

Senate Committee-Reported Bill: Provided \$314.9 million for EDA, which is \$288.3 million above the Administration's request and \$30.9 million above the FY05 enacted level. The disparity between the Administration's request and the Committee funding is because the

Committee restored the funding that the Administration proposed to manage under the Strengthening America's Communities Grant Program.

Economic and Statistical Analysis:

Conference Report: Provides \$80.3 million.

Senate Committee-Reported Bill: Provided \$81.3 million for Economic and Statistical Analysis, which is \$4.0 million below the Administration's request and \$2.4 million above the FY05 enacted level.

Bureau of the Census:

Conference Report: Provides \$812.2 million.

Senate Committee-Reported Bill: Provided \$727.4 million for the Bureau of the Census, which is \$150.0 million below the Administration's request and \$17.4 million below the FY05 enacted level.

National Telecommunications and Information Administration (NTIA):

Conference Report: Provides \$40.1 million.

Senate Committee-Reported Bill: Provided \$57.3 million for the NTIA, which is \$33.8 million above the Administration's request and \$18.6 million above the FY05 enacted level. The President's Budget reduces or eliminates a number of programs that the Administration argues do not have a record of demonstrating results.

Patent and Trademark Office (PTO):

Conference Report: Provides \$1.68 billion.

Senate Committee-Reported Bill: Provided \$1.70 billion for the PTO, which is equal to the Administration's request and \$158.5 million above the FY05 enacted level.

Title III – Science

H.R. 2862 provides \$22.12 billion for Science, which is \$48.8 million above the Administration's request and \$440.2 million above the FY05 enacted level. Significant spending accounts include the following:

National Institute of Standards and Technology (NIST):

Conference Report: Provides \$399.9 million.

Senate Committee-Reported Bill: Provided \$844.5 million for the NIST, which is \$312.5 million above the Administration's request and \$145.3 million above the FY05 enacted level.

National Oceanic and Atmospheric Administration (NOAA):

Conference Report: Provides \$3.95 billion.

Senate Committee-Reported Bill: Provided \$4.48 billion for NOAA, which is \$894.8 million above the Administration's request and \$550.8 million above the FY05 enacted level. The Committee disapproves of the budget request, which proposes to terminate or significantly reduce \$600.0 million from programs ranging from climate change to marine mammal management to infrastructure support.

National Aeronautics and Space Administration (NASA):

Conference Report: Provides \$16.46 billion.

Senate Committee-Reported Bill: Provided \$16.40 billion for NASA, which is \$60.0 million below the Administration's request and \$200.0 million above the FY05 enacted level.

National Science Foundation (NSF):

Conference Report: Provides \$5.65 billion.

Senate Committee-Reported Bill: Provided \$5.53 billion for the NSF, which is \$74.0 million below the Administration's request and \$58.1 million above the FY05 enacted level.

Title IV – Department of State and Related Agency

Title IV provides \$9.69 billion for the Department of State and Related Agencies, which is \$249.7 million below the Administration's request and \$919.0 above the FY05 enacted level (excluding emergencies). Significant spending accounts include the following:

Administration of Foreign Affairs:

Conference Report: Provides \$58.9 million for the **Capital Investment Fund**; \$69.4 million for **Centralized IT Modernization Program**; \$431.8 million for **Educational and Cultural Exchange Programs**; \$8.3 million for **Representation Allowances**; \$9.4 million for **Protection of Foreign Missions and Officials**; \$1.51 billion for **Embassy Security, Construction, and Maintenance**; \$10.0 million for **Emergencies in the Diplomatic and Consular Service**; \$19.8 million for **Payment to the American Institute in Taiwan**; and \$131.7 million for **Payment to the Foreign Service Retirement and Disability Fund**

Senate Committee-Reported Bill: Provided \$6.74 billion for the Administration of Foreign Affairs, which is \$37.2 million below the Administration's request and \$949.5 million below the FY05 enacted level. Included within this funding is: \$58.9 million for the **Capital Investment Fund**; \$74.1 million for **Centralized IT Modernization Program**; \$33.0 million for the **Office of the Inspector General**; \$440.2 million for **Educational and Cultural Exchange Programs**; \$8.3 million for **Representation Allowances**; \$9.4 million for **Protection of Foreign Missions and Officials**; \$1.50 billion for **Embassy Security, Construction, and Maintenance**; \$13.6 million for **Emergencies in the Diplomatic and Consular Service**; \$19.8 million for **Payment to the American Institute in Taiwan**; and \$131.7 million for **Payment to the Foreign Service**

Retirement and Disability Fund. Concerning Embassy Security, Construction, and Maintenance, the Senate Report directs the State Department to provide a report, not later than November 15, 2005, concerning the status of monitoring capabilities for chemical and biological agents at State Department facilities.

International Organizations:

Conference Report: Provides \$2.20 billion.

Senate Committee-Reported Bill: Provided \$2.20 billion for International Organizations and Conferences, which is \$130.3 million below the Administration's request and \$128.0 million below the FY05 enacted level. Included within this funding is \$1.04 billion for **International Peacekeeping Operations**.

International Commissions:

Conference Report: Provides \$67.3 million.

Senate Committee-Reported Bill: Provided \$70.0 million for International Commissions, which is \$279,000 below the Administration's request, but \$6.8 million above the FY05 enacted level.

Payment to the Asia Foundation:

Conference Report: Provides \$14.0 million.

Senate Committee-Reported Bill: Provided \$15.0 million for Payment to the Asia Foundation, which is \$5.0 million above the Administration's request and \$2.2 million above the FY05 enacted level.

International Center for Middle Eastern-Western Dialogue:

Conference Report: Provides \$5.0 million

Senate Committee-Reported Bill: Provided \$2.0 million for the International Center for Middle Eastern-Western Dialogue, which is \$1.0 million above the Administration's request, but \$4.9 million below the FY05 enacted level.

East-West Center:

Conference Report: Provides \$19.2 million.

Senate Committee-Reported Bill: Provided \$20.0 million for the East-West Center, which is \$7.0 million above the Administration's request and \$760,000 above the FY05 enacted level.

National Endowment for Democracy:

Conference Report: Provides \$75.0 million

Senate Committee-Reported Bill: Provided \$8.8 million for the National Endowment for Democracy, which is \$71.2 million below the Administration's request and \$50.4 million below the FY05 enacted level.

United States Institute of Peace (USIP):

Conference Report: Provides \$22.4 million.

Senate Committee-Reported Bill: Provided \$21.9 million for USIP, which is equal to the Administration's request and \$100.0 million below the FY05 enacted level.

Broadcasting Board of Governors:

Conference Report: Provides \$652.3 million. The conference agreement includes \$641.5 million for **International Broadcasting Operations** and \$37.7 million for Broadcasting to **Cuba** under this account, instead of in a separate account as proposed by the Senate.

Senate Committee-Reported Bill: Provided \$651.9 million for the Broadcasting Board of Governors, which is equal to the Administration's request and \$53.1 million above the FY05 enacted level. Included within this funding is \$603.4 million for **International Broadcasting Operations** and \$37.7 million for **Broadcasting to Cuba**.

Title V – Related Agencies

H.R. 2862 provides \$2.11 billion for Related Agencies, which is \$15.9 million above the Administration's request, but \$212.0 million below the FY05 enacted level (excluding emergencies). Significant spending accounts include the following:

Equal Employment Opportunity Commission (EEOC):

Conference Report: Provides \$331.2 million.

Senate Committee-Reported Bill: Provided \$331.2 million for the EEOC, which is equal to the Administration's request and \$4.4 million above the FY05 enacted level.

Federal Communications Commission (FCC):

Conference Report: Provides \$331.2 million.

Senate Committee-Reported Bill: Provided \$297.4 million for the FCC, which is \$6.7 million below the Administration's request and \$16.3 million above the FY05 enacted level.

Federal Trade Commission (FTC):

Conference Report: Provides \$211.0 million.

Senate Committee-Reported Bill: Provided \$211.0 million for the FTC, which is equal to the Administration's request and \$6.7 million above the FY05 enacted level.

Legal Services Corporation (LSC):

Conference Report: Provides \$330.8 million.

Senate Committee-Reported Bill: Provided \$324.5 million for the LSC, which is \$6.3 million above the Administration's request, but \$6.3 million below the FY05 enacted level.

Securities and Exchange Commission (SEC):

Conference Report: Provides \$888.1 million.

Senate Committee-Reported Bill: Provided \$888.1 million for the SEC, which is equal to the Administration's request and \$13.5 million below the FY05 enacted level.

Small Business Administration (SBA):

Conference Report: Provides \$456.4 million.

Senate Committee-Reported Bill: Provided \$621.6 million for the SBA, which is \$28.6 million above the Administration's request, but \$879.2 million below the FY05 enacted level.

Title VI – General Provisions

Title VI is composed of General Provisions concerning quarterly reports regarding unobligated balances, falsely mislabeled products, tobacco promotion, Universal Service Fund, trace data as it relates to firearms-related crimes, the Crime Victims Fund, and others.

Title VII – Rescissions

Title VII includes \$396.7 million in rescissions.

President's Program Terminations

(in millions of dollars)

Program	Classification	2005 Enacted	2006 Request	House bill	Senate bill	Conference Agreement
Manufacturing Extension Program (MEP)	Reduction	\$108	\$47	\$106	\$106	\$106
Emergency Steel Guarantee Loan Program	Termination	\$0	-\$50	-\$35	\$0	\$0
Advanced Technology Program (ATP)	Termination	\$136	\$0	\$0	\$140	\$80
Public Telecommunications Facilities, Planning and Construction Program	Termination	\$21	\$2	\$2	\$22	\$22
Federal Bureau of Prisons Construction Program	Reduction	\$189	-\$144	\$70	\$222	\$90

Juvenile Justice Law Enforcement Assistance Programs	Reduction	\$321	\$198	\$334	\$350	\$343
Byrne Justice Assistance Grants	Termination	\$626	\$0	\$348	\$530	\$417
COPS Hiring Grants	Termination	\$10	\$0	\$0	\$2	\$0
Byrne Discretionary Grants	Termination	\$168	\$0	\$110	\$177	\$192
State Criminal Alien Assistance Program (SCAAP)	Termination	\$301	\$0	\$405	\$170	\$405
Juvenile Accountability Block Grants	Termination	\$54	\$0	\$60	\$49	\$49
COPS Law Enforcement Technology Grants	Termination	\$137	\$0	\$120 ⁵	\$137	\$129
COPS Interoperable Communications Technology Grants	Termination	\$99	\$0	\$120 ⁶	\$37.5	\$10
Jupiter Icy Moons Orbiter	Reduction	\$402	\$280	\$0	\$0	\$0
Hubble Space Telescope Robotic Servicing Mission	Termination	\$291	\$0	**	\$250	\$271
SBA: Small Business Investment Company (SBIC)	Termination	\$0	\$0	\$0	\$0	\$0
SBA: Microloan Program	Termination	\$15	\$0	\$10	\$15	\$13
National Veterans Business Development Corporation	Termination	\$2	\$0	\$0	\$2	\$1.5

** This number was not provided in the House-passed bill or report.

⁵ The House bill combines money for technology grants and interoperable communications technology grants. The total for both is \$120 million.

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